

GRANT OF CERTAIN LANDS.

JANUARY 20, 1897.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. ELLIS, from the Committee on the Public Lands, submitted the following

REPORT.

[To accompany H. R. 9493.]

The Committee on the Public Lands, to whom was referred House bill 9493, having had the same under consideration, respectfully report:

That by virtue of the third section of the act heretofore mentioned those persons who had contracts with or licenses from the Northern Pacific Railroad Company, made prior to the forfeiture of its grant, by the act of September 29, 1890, were permitted to purchase said lands held by virtue of said contracts and licenses, providing the persons so holding such lands had made settlement of or resided upon the lands so claimed, by paying therefor the sum of \$1.25 per acre for any land so settled or resided upon, the number of acres in no case to exceed 320.

By virtue of said act and the acts amendatory thereof the time in which parties entitled to purchase said lands expired on January 1, 1897.

On December 31, 1896, the Acting Secretary of the Interior, upon the recommendation of the Commissioner of the General Land Office, issued an order withholding all lands covered by the provisions of said act from entry or in any way being disposed of until such time as Congress should act in the premises.

Owing to the late date of the issuance of said order all those entitled to purchase under said act who could possibly procure the means made purchases.

Those who would be the beneficiaries of the bill now pending are comparatively few, and have been prevented from completing title to the land settled upon by reason of the failure of crops and the general stringency of the times.

Should this bill fail to pass, all persons who would receive a direct benefit by reason of the same becoming a law will be compelled to lose the land they have hitherto held under laws existing prior to January 1, 1897, together with all the improvements placed upon the same. In every instance the parties claiming the right to purchase have placed valuable improvements upon the land, and would be obliged to lose the same should this bill fail to pass. Most cases covered by the provisions of this measure are persons of small means, who were by reason of their poverty utterly unable to avail themselves of the benefits of the laws heretofore passed.

By the passage of this bill the Government will also be benefited, as it will receive the sum of \$1.25 for every acre disposed of under the same. The failure to pass the bill will deprive the Government of said amount, and the land can only be disposed of under existing laws.

In view of the opinion of the Department, submitted herewith and

made a part of this report, it is the unanimous opinion of the Committee on the Public Lands that the passage of the said bill will give a much-needed relief to those who will be the beneficiaries, while the failure to pass the same will leave them entirely helpless.

Your committee therefore recommend that the bill do pass.

DEPARTMENT OF THE INTERIOR,
Washington, January 19, 1897.

SIR: In reply to your note of the 13th instant, inclosing for my consideration, and such suggestions as I might think proper with relation thereto, H. R. 9493 "To amend an act entitled 'An act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes,' approved September 29, 1890, and the several acts amendatory thereof," I have to say that the report of the assistant commissioner of the General Land Office, inclosed herewith, sets forth all the facts relative to the legislation heretofore had on the subject-matter of this bill. It also sets forth the fact of the action of this Department on December 31, 1896, directing the local officers at Vancouver and Walla Walla, in Washington, and The Dalles and Lagrande, in Oregon, to reserve all lands granted in said districts from any disposition except to receive applications and money tendered by persons protected by said section 3, pending the action proposed in this bill.

As the purpose of the legislation proposed seems to be for the relief of actual settlers and purchasers of the lands referred to in the bill, I have no objection to urge against its passage.

Very respectfully,

D. R. FRANCIS, *Secretary.*

Hon. JOHN F. LACEY,
Chairman Committee on the Public Lands, House of Representatives.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., January 14, 1897.

SIR: I have the honor to acknowledge the receipt, by your reference, for report in duplicate and return of papers, of a letter from Hon. John F. Lacey, chairman of the Committee on the Public Lands, United States House of Representatives, submitting for your opinion and suggestion, to aid the committee in its consideration, a bill for the amendment of section 3 of the railroad forfeiture act of September 29, 1890, and the several acts amendatory thereof.

The bill provides for the extension of time within which persons entitled to purchase lands forfeited by said act shall be permitted to purchase the same, in quantities and upon the terms provided in said section, at any time prior to January 1, 1899.

In reply, I have the honor to state that section 3 of said act of September 29, 1890 (26 Stat., 496), which granted the purchasers under its provisions two years from its passage, was first amended by the act of February 18, 1891 (26 Stat., 764), which provided that said period begin to run from the date of promulgation of the Commissioner of the General Land Office of the instructions to the local officers for their direction in the disposition of the lands, and not from the date of the passage of said act.

By the act of December 12, 1893 (28 Stat., 15), the period allowed such purchasers was extended to January 1, 1897, with a proviso that such extension should not "be so construed as to interfere with any adverse claim that may have attached to the lands or any part thereof."

A further amendment was made by the act of January 23, 1896 (29 Stat., 4), which made no further extension of the time of purchase.

At the request of Hon. William R. Ellis, of Oregon, this office, with the approval of Hon. William H. Sims, Acting Secretary of the Interior, on December 31, 1896, by telegram to the local officers at Vancouver and Walla Walla, Wash., and The Dalles and Lagrande, Oreg., reserved all lands claimed in said districts under said third section from any disposition, except to receive applications and money tendered by persons protected by said section pending the action proposed in this bill.

The purpose of the bill seems proper, and I have the honor to recommend its passage.

The bill and accompanying letter are herewith returned.

Very respectfully,

E. F. BEST,
Assistant Commissioner.

The SECRETARY OF THE INTERIOR.

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